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Attorneys for Defendants
CITY OF FREMONT, FREMONT TENNIS CENTER,
JEFF GONCE, JOE GRECH, ANNABELLE HOLLAND
and KELLY KING

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WALTER JEFFERSON,

Plaintiff,

v.

THE CITY OF FREMONT, FREMONT
TENNIS CENTER, JEFF GONCE, JOE
GRECH, ANNABELLE HOLALND, KELLY
KING and Does 1 through 10, inclusive,

Defendants.

Case No. 3:12-cv-00926 EMC

**STIPULATION OF COUNSEL AND
[PROPOSED] ORDER TO CONTINUE
HEARING ON MOTION TO DISMISS AND
INITIAL CASE MANAGEMENT CONFERENCE**

Date: October 5, 2012

Time: 1:30 p.m.

Place: Courtroom 5, 17th Floor

Defendants City of Fremont, a municipal public entity on behalf of itself and the Fremont Tennis Center, Jeff Gonce, Joe Grech, Annabelle Holland, and Kelly King, and Plaintiff Walter Jefferson hereby submit the following Stipulation and Proposed Order rescheduling the hearing date on Defendants' Motion to Dismiss the First Amended Complaint and Initial Case Management Conference.

WHEREAS on July 23, 2012 the Court granted the parties' stipulation to continue the September 9, 2012 hearing date and associated briefing schedule for Defendants' Motion to Dismiss the First Amended Complaint to October 5, 2012 at 1:30 p.m., and rescheduled the Initial Case Management

Conference for October 5, 2012;

WHEREAS all of the briefing associated with the motion to dismiss is complete;

WHEREAS the parties' Joint Case Management Conference Statement is due on September 28, 2012;

WHEREAS all parties to this action have agreed to continue the October 5, 2012 hearing date and initial case management conference to October 12, 2012 at 1:30 p.m. due to a scheduling conflict of defense counsel;

IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

1. The hearing date for Defendants' Motion to Dismiss the First Amended Complaint and the Initial Case Management Conference shall be re-scheduled for October 12, 2012 at 1:30 p.m.;

2. The parties' Joint Case Management Conference Statement shall be filed no later than September 28, 2012.

SO STIPULATED.

Dated: September 24, 2012

BERTRAND, FOX & ELLIOT

By: _____/s/
Gregory M. Fox
Ilana Kohn
Attorneys for Defendants
CITY OF FREMONT, FREMONT TENNIS
CENTER, JEFF GONCE, JOE GRECH,
ANNABELLE HOLLAND and KELLY KING

Dated: September 24, 2012

LOGAN LAW GROUP

By: _____/s/
Angela L. Morgan
Attorney for Plaintiff
WALTER JEFFERSON

ATTORNEY ATTESTATION

I hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/s/) within this E-filed document.

Dated: September 24, 2012

/s/
Ilana Kohn

ORDER

Pursuant to the above Stipulation of the parties by and through their respective counsel of record, it is hereby ORDERED as follows:

1. Defendants’ Motion to Dismiss the First Amended Complaint will be heard at 1:30 pm on October 12, 2012.

2. The Initial Case Management Conference will immediately follow the hearing on Defendants’ Motion to Dismiss.

3. The parties’ Joint Case Management Conference Statement shall be filed no later than September 28, 2012.

IT IS SO ORDERED.

Dated: September 25, 2012

